

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AISLIN MAGALENGO,

*Plaintiff,*

v.

PENNSYLVANIA  
INTERSCHOLASTIC ATHLETIC  
ASSOCIATION, INC.,  
QUAKERTOWN COMMUNITY  
SCHOOL DISTRICT, and  
COLONIAL SCHOOL DISTRICT,

*Defendants.*

CASE NO. 2:25-cv-00325

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**PLAINTIFF'S NOTICE OF NO INTENT TO AMEND**

NOW COMES Plaintiff, by and through counsel and respectfully file this Notice of No Intent to Amend.

1. Plaintiff initiated this lawsuit on January 20, 2025. [ECF 001].
2. On August 1, 2025, the Court issued an Order [ECF 051] dismissing

Plaintiff's Amended Complaint as follows:

- a) Plaintiff's Amended Complaint is DISMISSED WITHOUT PREJUDICE as to her Title IX claims against PIAA and Colonial.
- b) Plaintiff's Amended Complaint is DISMISSED WITHOUT PREJUDICE as to her Title IX claim against Quakertown, insofar as it is premised on transgender girls' participation in

athletics.

- c) Plaintiff's Amended Complaint is DISMISSED WITH PREJUDICE as to her Title IX claim against Quakertown, insofar as it is premised on transgender girls using girls' bathrooms and locker rooms.
- d) Plaintiff's Amended Complaint is DISMISSED WITH PREJUDICE as to any requests for punitive damages under Title IX.
- e) Plaintiff's Amended Complaint is DISMISSED WITH PREJUDICE as to her claims brought against all Defendants under 42 U.S.C. § 1983.

3. Plaintiff files this notice to inform the Court of the decision not to amend the complaint. *Weber v. McGrogan*, 939 F.3d 232 2019),

4. This notice serves as a formal declaration of Plaintiff's intent to stand on the original complaint, thereby allowing the Court to proceed with issuing a final order dismissing the case

5. "Generally, an order which dismisses a complaint without prejudice is neither final nor appealable because the deficiency may be corrected by the plaintiff without affecting the cause of action." *Borelli v. City of Reading*, 532 F.2d 950, 951 (3d Cir. 1976).

6. The order will be final and appealable, however, if the plaintiff "declares his intention to stand on his complaint." *Id.* at 951-52; *Jones v Ahmed*, 774 F App'x 55, 56 n 1 (CA 3, 2019).

7. Plaintiff does not intend to file an amended complaint as is permitted under Rule 15. Fed. R. Civ. P. 15.

WHEREFORE, Plaintiff respectfully requests that the Court proceed with issuing a final order based on Plaintiff's decision to stand on the operative complaint.

Dated: September 5, 2025

Respectfully submitted,

/s/ Keith Altman

Keith Altman, Esq.

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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 5, 2025, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all registered parties to this action.

/s/ *Keith Altman*